

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SHIRE DEVELOPMENT LLC, et al,	:	
	:	
Plaintiffs,	:	
	:	CIVIL ACTION NO.
v.	:	1:12-cv-0904-AT
	:	
OSMOTICA PHARMACEUTICAL	:	
CORP., et al,	:	
	:	
Defendants.	:	

**SCEDULING ORDER**

Upon review of the information contained in the Amended Joint Preliminary Report and Discovery Plan form completed and filed by the parties [Doc. 38], the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as set out in the Federal Rules of Civil Procedure and the Local Rules of this Court, except as herein modified:

The schedule as adopted by the Court and attached to this Order shall govern this case.

It is so **ORDERED** this 20<sup>th</sup> day of June, 2012.



Amy Totenberg  
United States District Judge

<b>Event</b>	<b>Local Rule Deadline</b>	<b>Agreed Deadline</b>
Start of Discovery	5/24/2012 (30 days after Answer)	5/24/2012 (30 days after Answer)
Joint Preliminary Report and Discovery Plan (“JPRDP”) Due	5/24/2012 (30 days after Answer)	5/24/2012 (30 days after Answer)
LPR 4.1 Infringement Contentions (“4.1 IC”)	6/25/2012 (30 days after JPRDP)	7/23/2012 (75 days after receipt of ANDA)
LPR 4.2 Response to Infringement Contentions	7/25/2012 (30 days after 4.1 IC)	8/22/2012 (30 days after 4.1 IC)
LPR 4.3 Invalidity Contentions (“4.3 IC”)	7/25/2012 (30 days after 4.1 IC)	8/22/2012 (30 days after 4.1 IC)
Exchange of Proposed Terms for Claim Construction	8/22/2012 (90 days after JPRDP)	10/22/2012 (60 days after 4.1 IC and 4.3 IC exchange complete)
Exchange of Preliminary Constructions	9/11/2012 (20 days after exchange of terms)	11/12/2012 (20 days after exchange of terms)
Joint Claim Construction Statement (“JCCS”)	10/1/2012 (130 days after JPRDP)	12/3/2012 (20 days after exchange of preliminary constructions)
Complete Discovery for Claim Construction	10/16/2012 (15 days after JCCS)	12/21/2012 (20 days after JCCS)
Opening Claim Construction Briefs	10/31/2012 (30 days after JCCS)	1/18/2013 (30 days after JCCS)
Responsive Claim Construction Briefs	11/20/2012 (20 days after opening brief)	2/7/2013 (20 days after opening brief)
Claim Construction Hearing	December 2012	February 2013
Close of Fact Discovery*	1/22/2013	3/22/2013

<b>Event</b>	<b>Local Rule Deadline</b>	<b>Agreed Deadline</b>
(45 days after claim construction order if time is < 30 days)	(8 months after start of fact discovery)	(10 months after start of fact discovery)
Settlement Conference	2/5/2013 (14 days after close of discovery)	4/5/2013 (14 days after close of discovery)
Motions for Summary Judgment	2/21/2013 (30 days after close of discovery)	30 days after close of expert discovery
Consolidated Pretrial Order and <i>Daubert</i> Motions Due	2/21/2013 (30 days after later of either: close of discovery, or ruling on motions for summary judgment)	30 days after close of expert discovery or rulings on motions for summary judgment
Opening Expert Reports	2/21/2013 (30 days after close of discovery)	30 days after claim construction order
Responsive Expert Reports	3/25/2013 (30 days after opening expert reports)	30 days after opening expert reports
Reply Expert Reports	4/4/2013 10 days after responsive expert reports	20 days after responsive expert reports
Close of Expert Discovery	5/13/2013 (within 37 days of reply expert reports)	45 days after responsive expert reports